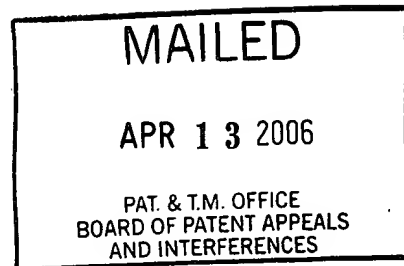


UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte RONALD A. SCHACHAR

Application No. 09/556,143



ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences on March 27, 2006. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.

On October 8, 2003, appellant filed a Petition under § 1.181 and a Petition under § 1.144. It is not clear from the record whether the examiner considered the Petitions. A communication notifying appellant of the response to the Petitions is required.

In addition, on February 28, 2005, June 20, 2005, and March 31, 2006, appellant filed Information Disclosure Statements (IDSs). It is not clear from the record whether the examiner

considered the IDSs submitted or whether the examiner notified appellant of why the submission did not meet the criteria set forth in 37 CFR §§ 1.97 and 1.98.

Furthermore, the appellant has filed an amendment on February 6, 2006. A review of the file reveals that the amendment was not considered by the examiner. Before further review, the examiner must consider the amendment filed February 6, 2006. Appropriate action is required.


Accordingly, it is

ORDERED that this application be returned to the examiner for: 1) consideration of the Petitions filed October 8, 2003; 2) consideration of the Information Disclosure Statements filed February 28, 2005, June 20, 2005, and March 31, 2006; 3) appropriate written notification by the examiner to appellants

Application No. 09/556,143

of such consideration; 4) consideration of the Amendment filed February 6, 2006; and 5) for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By: 
Dale M. Shaw
Program and Resource Administrator
(571)272-9797

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DMS/tdl